

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

PIERRE BRAZEAU, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

CASSAVA SCIENCES, INC., REMI  
BARBIER, ERIC J. SCHOEN, JAMES W.  
KUPIEC, NADAV FRIEDMANN, and  
MICHAEL MARSMAN,

Defendants.

Case No. 1:21-cv-00751-RP

**CLASS ACTION**

WANDA NEWELL, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

CASSAVA SCIENCES, INC., REMI  
BARBIER, and ERIC J. SCHOEN,

Defendants.

Case No. 1:21-cv-00760-RP

**CLASS ACTION**

KATLYN K. REIN, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

CASSAVA SCIENCES, INC., REMI  
BARBIER, ERIC J. SCHOEN, JAMES W.  
KUPIEC, NADAV FRIEDMANN, and  
MICHAEL MARSMAN,

Defendants.

Case No. 1:21-cv-00856-RP

**CLASS ACTION**

**MOTION OF THIBAUT MAGNIN FOR CONSOLIDATION, APPOINTMENT AS  
LEAD PLAINTIFF, AND APPROVAL OF HIS SELECTION OF COUNSEL**

Thibault Magnin (“Magnin”), respectfully moves this Court, pursuant to Fed. R. Civ. P. 42(a) and Section 21D(a)(3) of the Securities Exchange Act of 1934 (the “Exchange Act”), 15 U.S.C. § 78u-4(a)(3), as amended by the Private Securities Litigation Reform Act of 1995 (“PSLRA”), for an Order: (1) consolidating the above-captioned actions into one action for all purposes; (2) appointing Magnin to serve as lead plaintiff in the consolidated securities class action; and (3) approving Magnin’s selection of Berman Tabacco as Lead Counsel for the class and George Brothers Kincaid & Horton, L.L.P. as Liaison Counsel for the class.

This motion is made on the grounds that the Actions are subject to the PSLRA, which provides a specific process that guides the initial stages of the litigation. The PSLRA provides that prior to appointing a lead plaintiff, the Court must first render a decision on a motion to consolidate. *See* 15 U.S.C. § 78u-4(a)(3)(B)(ii). Consolidation is appropriate under Rule 42(a) where, as here, the “actions before the court involve a common question of law or fact[.]” Fed. R. Civ. P. 42(a).

This motion is further made on the grounds that Magnin is the most adequate plaintiff, as defined by the PSLRA, based on his financial interest in this litigation. Magnin satisfies the requirements of Rule 23(a) of the Federal Rules of Civil Procedure, as his claims are typical of the other members of the class and he will fairly and adequately represent the class. In addition, Magnin has selected and retained counsel with substantial experience in prosecuting securities fraud class actions to serve as lead counsel for the class.

In support of his motion, Magnin submits a Memorandum of Law, the Declaration of B. Russell Horton with supporting exhibits, and a Proposed Order.

**COMPLIANCE WITH LOCAL RULE CV-7(i)**

This motion has been filed pursuant to Section 21(D)(a)(3) of the Exchange Act, as amended by the PSLRA. Section 21D(a)(3)(B) provides that within 60 days after publication of the required notice, any member of the proposed class may apply to the Court to be appointed as lead plaintiff, whether or not they have previously filed a complaint in the underlying action. Consequently, counsel for Magnin has no way of knowing who the competing lead plaintiff candidates are at this time. As a result, counsel for Magnin has been unable to confer with opposing counsel as prescribed by Local Rule CV-7(i) and respectfully requests that the conference requirement of Local Rule CV-7(i) be waived for this motion.

Dated: October 26, 2021

Respectfully submitted,

**GEORGE BROTHERS KINCAID & HORTON,  
L.L.P.**

By: /s/ B. Russell Horton  
B. Russell Horton  
State Bar No. 10014450

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*Liaison Counsel for Proposed Lead Plaintiff  
Thibault Magnin*

Leslie R. Stern (*pro hac vice* forthcoming)  
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*Counsel for Proposed Lead Plaintiff Thibault  
Magnin and Proposed Lead Counsel for the Class*

**CERTIFICATE OF SERVICE**

I certify that on October 26, 2021, a true and correct copy of the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to all counsel of record.

/s/ B. Russell Horton  
B. Russell Horton